UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION
- - - - - - - - -

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTONIO RAMON MARTINEZ-LOPEZ,
BELKIS SOCA-FERNANDEZ,
DAVID SOSA-BALADRON,

Defendants.
_________________________________/

No. 1:16-CR-62

Hon. Paul L. Maloney
United States District Judge

STIPULATION AND AGREEMENT BETWEEN THE PARTIES REGARDING TESTIMONY OF INSURANCE REPRESENTATIVES

1. The parties stipulate and agree that the witnesses listed in paragraph 2 will testify about their respective insurance claims files, including the claims and associated treatment forms and other documents applicable to counts 1, 3 through 9, and 15-20, in the same way that witness Melissa Bentivolio (Merchant) testified about the claims records of Farmers Insurance and its affiliate companies, specifically that:

    a. All of the claims forms and associated documents received from Revive Therapy Center, Renue Therapy Center, or H&H Rehab Center were received through the United States mail;
    b. All claims forms and associated documents were material to the decision of whether the automobile insurance companies should pay the claims. Specifically, the claims forms and documents contained information that had a natural tendency to influence or was capable of influencing the decision of a person of ordinary prudence and comprehension as defined in Sixth Circuit Jury Instructions 10.01 (mail fraud) and 10.05 (health care fraud); and,
    c. The automobile insurance companies would not have paid the claims if they had known that the health care services listed on the claim forms arose out of a staged automobile accident and/or were not actually provided to their insureds.

2. In reliance upon this stipulation, the United States is not calling the following witnesses at trial to testify on the topics set forth above in paragraphs 1 (a) through1 (c), but they may be called for other reasons:
   a. Nathan Hoerig, Nationwide Insurance (and its affiliate, Titan Insurance);
   b. Chad Holleman, State Farm Insurance;
   c. Rodney Thuma, Farm Bureau Insurance;
   d. Kym Lewis, Everest Insurance;
   e. Diane Haney, GEICO Insurance

Respectfully submitted,

ANDREW BYERLY BIRGE
Acting United States Attorney

Dated: March 9, 2017

/s/ Ronald M. Stella
RONALD M. STELLA
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Dated: March 9, 2017

/s/ Geoffrey Upshaw (with permission)
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Dated: March 9, 2017

/s/ Britt Cobb (with permission)
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Dated: March 9, 2017

/s/ Michael R. Bartish (with permission)
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